

REMARKS

The Non-final Office Action, mailed December 14, 2006, considered and rejected claims 1-15 and 25-37 under 35 U.S.C. § 103(a) as being unpatentable over Chan et al., U.S. Patent No. 6,799,718 (filed Jul. 10, 2002) (hereinafter Chan); in view of Bodreau, et al., *NetBeans: The Definitive Guide* p. 1-12, (O'Reilly, October 2002) (hereinafter NetBeans).¹

By this response, claims 1, 4-6, 9, 11-12, 14-15, 25, 28-29, 32 and 34-35 are amended such that claims 1-15 and 25-37 remain pending. Claims 1, 9, 25, and 32 are independent claims which remain at issue. Support for the amendments to the claims may be found throughout the Specification, including the disclosure found within Specification ¶¶ 41-48 & Fig's 1-2.²

As reflected in the claims, and as previously discussed with the Examiner, the present invention is directed generally toward embodiments in which an editor enables the editing of source code documents containing multiple programming languages. In many embodiments, the invention provides for a primary editor to access and employ secondary editors to access advanced editing functionality pertaining to multiple programming languages.

Claim 1 recites, for example, in combination with all the elements of the claim, a programmer seeing in a primary application view a multilanguage document. Segments within the document are identified as to which programming language they were written in. Without the programmer leaving the primary application view, the primary editor opens an interface with secondary editors to enable the programmer to edit the different code segments. This is done by sending a code segment to a secondary editor where the secondary editor opens a corresponding secondary file to edit the segment. A buffer coordinator recognizes edits made in the primary application and, when appropriate, sends them to the secondary editor. The code segment is edited through interaction with the secondary editor and the buffer coordinator replicates changes from the secondary file to the primary document. Finally, the code segment is displayed with its edits within the multilanguage document within the primary application view. Claim 25 recites a computer program product corresponding with the method of claim 1.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

Claim 9 recites a method similar but not identical to the method in claim 1. Claim 9 focuses on one embodiment that includes identifying whether a code segment written in a secondary programming language is a complete code segment. If the code segment is not complete, it is supplemented with additional data necessary to create complete source code so that it can be recognized and edited by the secondary editor. The secondary editor creates a secondary file which is invisible to the user. A buffer coordinator recognizes edits made to the code segment within the document within the primary application view and transmits those edits to the secondary editor and the buffer coordinator replicates the changes from the secondary file to the primary document. Finally, as in claim 1, the primary editor changes the primary view to reflect the editing functionality provided by the secondary editor. Claim 32 is a computer program product embodiment of the method of claim 9.

The Examiner rejected each of the independent claims, 1, 9, 25, and 32, under 35 U.S.C. § 103, citing to Chan and NetBeans.³ The Applicants submit, however, that Chan and NetBeans, both separately and in combination, fail to teach or suggest each and every element of the invention as claimed, particularly as recited in the amended claims. For instance, Chan and NetBeans, both separately and in combination, fail to teach or suggest that there is a buffer coordinator recognizing edits made in the primary application view to the at least one other code segment and transmitting the edits to the secondary editor or that the buffer coordinator replicates changes from the secondary file to the primary document.

The existence and use of the claimed buffer coordinator is an important distinction over the cited art. As recited in dependent claim 37, for example, the separate buffer coordinator may be employed to provide even further functionality which is not provided by Chan and NetBeans. The Examiner cited to Chan col. 7 l. 31–50 and col. 8 l. 1–25 for teaching “a mapping between working files and the primary file.”⁴ However, Applicants submit that Chan (and NetBeans) fails to teach or suggest the secondary editor creating a corresponding secondary file to be used to edit the at least one other code segment. Firstly, the cited portion of Chan teaches only that an “accumulator” is used “to collect . . . code for each . . . language . . . *that does not require conversion.*”⁵

³ Office Communication p. 3 (Dec. 14, 2006).

⁴ Office Comm. p. 8.

⁵ Chan, col. 7 l. 49–51 (emphasis added).

Chan and NetBeans also fail to teach or suggest that the secondary editor creates a corresponding secondary file or that the file is used to edit the code segment (written in the other programming language). With specific reference to Chan, it will be noted that Chan's "accumulator" is not created by the secondary editor and it is not used for editing – it is only used to accumulate code which "does not require conversion."⁶

Finally, the Examiner states that "it is inherent" that "a mapping would enable the primary editor to modify the multilanguage file in response to a change made to the secondary document." Applicants submit that, as discussed above, Chan fails to teach a secondary file which is equivalent to that taught and claimed in the present invention. Furthermore, it will be appreciated that the fact that a certain result or characteristic *may* occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.⁷ Accordingly, Applicants request that the Examiner provide "a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art."⁸

Finally, the Applicants note that the separation of functions, both the secondary editors' secondary file and the buffer coordinator which transmits and replicates, are elements which Chan and NetBeans fail to teach or suggest. Because, as discussed, Chan and NetBeans both separately and in combination, fail to teach or suggest each and every element of the invention as claimed, it would be improper to reject claim 1 under 35 U.S.C. § 103. Accordingly, Applicants respectfully request the rejection of claim 1 be withdrawn and, correspondingly, respectfully request that the claim now be allowed.

The above discussion concerning claim 1 pertains also to claims 9, 25, and 32. Accordingly, the Applicants respectfully request the rejections of those claims also be withdrawn. The Applicants submit that those claims, too, are now in condition for allowance and respectfully request the Examiner to issue their allowance.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the

⁶ Chan, col. 7 l. 31–51, col. 8 l. 1–25 (emphasis added).

⁷ MPEP § 2112.

⁸ *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original); MPEP § 2112.

purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 14th day of March, 2007.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant
Customer No. 47973

RDN:JCJ:TMB:kjb
AHY0000002961V001